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OCT 05 2009

FACSIMILE TRANSMITTAL SHEET

TO: Commissioner for Patents

FAX NO.: (571) 273-8300

PAGES: 14

FROM: Christopher S. Andrzejak, Howard & Howard Attorneys PLLC

Serial No.: 10/540,379

Examiner: Leszek B. Kiliman

DATE: October 5, 2009

SENDER'S
TELEPHONE NO.: (248) 723-0438

SENDER'S
FACSIMILE NO.: (248) 645-1568

On October 5, 2009, Applicants' representative, Christopher S. Andrzejak, received a telephone call from Examiner Kiliman in which it was indicated that a Declaration executed by the inventors is not of record for the instant application.

Attached please find a Response to Notification of Missing Requirements that was previously filed for the above-referenced application on December 19, 2005, along with a Declaration that was executed by the inventors. Also attached is a postcard stamped by the OIPE on December 21, 2005 acknowledging receipt of the Response to Notification of Missing Requirements and executed Declaration. Payment of \$130 was previously made by check for submission of the Declaration in response to the Notification of Missing Requirements (with reference made to the \$130 payment on the acknowledgement postcard).

Notably, there is no indication in the Patent Application Information Retrieval (PAIR) system of any documents having been received by the USPTO on or around December 19, 2005. Given the evidence of the accompanying postcard acknowledging

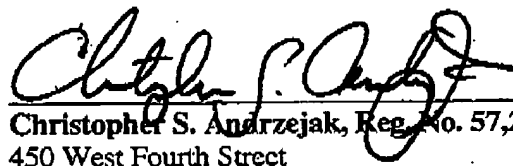
receipt of documents on December 21, 2005 by the USPTO, the Applicants respectfully submit that it was the error of the USPTO that resulted in the Declaration being absent from the Official Record.

The Applicants believe that no fees are presently due for resubmitting that accompanying Declaration because payment was already made for submitting the Declaration in response to the Notification of Missing Requirements. However, the Commissioner is authorized to charge our deposit account no. 08-2789 for any additional fees or credit the account for any overpayment.

Respectfully submitted,

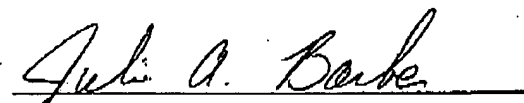
HOWARD & HOWARD ATTORNEYS PLLC

Date: October 5, 2009


Christopher S. Andzejak, Reg. No. 57,212
450 West Fourth Street
Royal Oak, MI 48067-2557
(248) 723-0438

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the attached **Notification of Missing Requirements and Declaration** executed by the inventors are being resubmitted for filing via facsimile to the United States Patent and Trademark Office addressed to Examiner Leszek B. Kiliman at **Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**, facsimile number (571) 273-8300, on this 5th day of October, 2009.


Julie A. Barber

Howard & Howard**COMMISSIONER OF PATENTS & TRADEMARKS**

Please confirm receipt of the document(s) checked below by stamping and returning this card to us.

Inventor / Applicant: Kawazoe et al (Shiga Int'l) Mark: _____
 Date: 12-19-05 Attorney: DML (SANDY) File No.: 105,361-001

- PATENTS / TRADEMARKS -☐ New Patent Application:
☐ CON ☐ CIP ☐ DIV ☐ FWC ☐ Provisional ☐ PCT

____ Page(s) Specification

____ Page(s) Claims

____ Page(s) Abstract

____ Sheets of Drawing (formal/informal)

☐ Small Entity Declaration☐ PCT Request _____ Page(s)☐ Certificate of Express Mail☐ Assignment☐ Response/Amendment☐ Statement of Use☐ Priority Document☒ Executed Declaration & Power of Attorney☐ Fee Calculation Sheet☐ Information Disclosure Statement☐ Recertification Cover Sheet☐ Extension of Time☐ Section 8 Affidavit☐ Issue Fee Transmittal☐ New Trademark Application:☐ Use ☐ Intent to Use

____ Drawing _____ Specimens

Transmittal Cover Sheet

☐ General Power of Attorney☐ PTO 1449☒ Response to Invitation☒ Certificate of Mailing☐ Section 15 Affidavit☐ Maintenance Fee Transmittal, _____ Year☒ Missing Parts *COPY*☐ Patent Copies☐ Notice of Appeal☐ Informational Brief☐ Renewal Application☐ Change of Fee Address☐ Change of Record Letter

Other: _____

Fee: \$ 130.00 CK # 5211Serial/Patent/Registration No. 101,540,379

Date Received: _____

TAP4 Rec'd PCT/PTO 21 DEC 2005

First Class Mail

Howard & Howard

The Pinchurst Office Center, Suite 101
39400 Woodward Avenue, Bloomfield Hills, MI 48304-5151

Commissioner for Patents
Mail Stop *Missing Auto - PCT*
P.O. Box 1450
Alexandria, VA 22313-1450

12-19-05

Howard & Howard

COMMISSIONER OF PATENTS & TRADEMARKS

Please confirm receipt of the document(s) checked below by stamping and returning this card to us.

Inventor / Applicant: Koungge et al. (Signature) Mark: (Signature)
 Date: 12-19-05 Attorney: DML File No.: 105,361-001

- PATENTS / TRADEMARKS -

☐ New Patent Application: ☐ New Trademark Application:

☐ CON ☐ CIP ☐ DIV ☐ FVC ☐ Provisional ☐ PCT ☐ Use ☐ Intent to Use

Page(s) Specification: _____ Page(s) Claims: _____ Drawing: _____ Specimens: _____

Page(s) Abstract: _____ Sheets of Drawing (formal/informal): _____

☐ Small Entity Declaration ☒ Executed Declaration & Power of Attorney ☐ Transmittal Cover Sheet ☒ Missing Parts *Copy*

☐ PCT Request: _____ Pages ☐ Fee Calculation Sheet ☐ General Power of Attorney ☐ Patent Copies

☐ Certificate of Express Mail ☐ Information Disclosure Statement ☐ PTO 1449 ☐ Notice of Appeal

☐ Assignment ☐ Recordation Cover Sheet ☒ Response to Invitation ☒ Appeal Brief

☐ Response/Amendment ☐ Extension of Time ☒ Certificate of Mailing ☐ Renewal Application

☐ Statement of Use ☐ Section B Affidavit ☐ Section 15 Affidavit ☐ Change of Fee Address

☐ Priority Document ☐ Issue Fee Transmittal ☐ Maintenance Fee Transmittal, _____ Year ☐ Make of Record Letter

Other: _____

Fee: \$ 130.00 CK # 5211

Serial/Patent/Registration No. 101540379

Date Received: _____

OCT 05 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yoshiyuki KAWAZOE et al.
Serial No. : 10/540,379
International Serial No. : PCT/JP03/17021
International Filing Date : 12/26/2003
Priority Date : 12/26/2002
Attny No. : 65,361-001
Title : MULTIPLY STRUCTURED PARTICLE AND
METHOD FOR PRODUCING THE SAME

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated States Designated/Elected Office (DO/EO/US) dated November 3, 2005, Applicant is submitting herewith the required *Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.*

Also enclosed herewith is a check in the amount of \$130.00 to cover the declaration surcharge as set forth in 37 CFR 1.492(h). Enclosed as well is a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated States Designated/Elected Office (DO/EO/US) as requested.

U.S.S.N. 10/540,379
H&H Ref. No. 65,361-001

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The Commissioner is hereby authorized to and any additional fees or credit any overpayments to our deposit account number 08-2789.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.

December 19, 2005
Date

David M. LaPrairie
David M. LaPrairie, Registration No. 46,295
The Pinchurst Office Center, Suite #101
39400 Woodward Avenue
Bloomfield Hills, MI 48304-5151
(248) 645-1483

CERTIFICATE OF MAILING

I hereby certify that the enclosed RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US), executed declaration, copy of Missing Parts dated 11/03/05 and fee is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 19, 2005.

Sandra Barry
Sandra Barry

U.S.S.N. 10/540,379
H&H Ref. No. 65,361-001

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- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,379	PCT/JP03/17021	65,361-001

FORM PCT/DO/EO/905 (371 Formalities Notice)